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Amendments to the Drawings

The attached sheets of drawings include changes to Figs. 3A-8D. The sheets replace the original sheets including Figs. 3A-8D.

In Fig. 3A, elements 310 and 311 have been removed.

In Fig. 3B, element 330 has been amended.

In Fig. 4A, elements 310, 311 and 315 have been removed.

In Fig. 4B, elements 330 and 450 have been amended.

In Figs. 5-8D, all of the axes have been labeled.

Attachment: Eleven (11) Replacement Sheets

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R E M A R K S

Reconsideration of the present application in view of the amendments and following remarks is respectfully requested. Claims 17 and 24 have been canceled. Claims 1, 3, 6, 7, 9, 10, 12-14, 16, 19, 21, 22 and 25 have been amended. Twenty-three claims are pending in the application: Claims 1-16, 18-23, and 25.

Drawings

1. The Figures stand objected to as failing to comply with 37 CFR 1.84(p)(5) because they include reference characters 309-311, 315, 330 and 370, not mentioned in the description.

Applicant has amended the specification at the paragraph beginning on page 13, line 13 to include reference number 309.

Applicant has amended Figs. 3A and 4A to remove reference numbers 310 and 311.

Regarding reference number 315, Applicant respectfully submits that this reference number is recited numerous times in the specification, for example, at page 14, line 6 and page 14, line 15 of the originally filed specification.

Applicant has amended the specification at the paragraph beginning on page 15, line 17 to include reference number 330.

Applicant has amended the specification at the paragraph beginning on page 16, line 17 to include reference number 370.

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Therefore, Applicant respectfully submits the objection is overcome.

2. The Figures stand objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters 315 has been used to designate both a controller in Fig. 3A and an amplifier in Fig. 4A.

Fig. 4A has been amended to remove reference number 315 from the figure. Therefore, Applicant respectfully submits the rejection is overcome.

3. Figs. 6-8 stand objection to for not having the axes labeled.

Applicant has submitted herewith corrected drawing sheets for Figs. 6-8. Applicant has added labels for the axes. Therefore, Applicant respectfully submits the rejection is overcome.

Specification

4. The specification stands objected to for not having supporting material for claims 20-21.

Applicant has amended the specification at the paragraph beginning on page 17, line 6 to include support for claims 20-21. Therefore, Applicant respectfully submits the objection is overcome. No new matter has been entered.

Claim Objections

5. Claim 25 is objected to because claim 25 should be dependent upon claim 22 and not claim 12.

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Applicant has amended claim 25 as suggested by the Examiner, thus the objection is overcome.

6. Claim 10 is objected to because claim 10 should be dependent upon claim 9 and not claim 8.

Applicant has amended claim 10 as suggested by the Examiner, thus the objection is overcome.

7. Claim 2 is objected to because claim 2 should read -90.5 dBm and not +90.5 dBm.

Applicant has amended claim 2 as suggested by the Examiner, thus the objection is overcome.

8. Claims 1-11 are objected for reciting "said threshold" instead of "said predetermined threshold."

Applicant has amended claims 1 and 3 as suggested by the Examiner, thus the objection is overcome.

9. Claims 9 and 10 are objected for reciting "said computer instructions" instead of "said set of computer instructions."

Applicant has amended claims 9 and 10 as suggested by the Examiner, thus the objection is overcome.

10. Claims 12-21 are objected because the acronym "RF" is not defined in the claims.

Applicant has amended claims 12, 13 and 17 as suggested by the Examiner, thus the objection is overcome.

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11. Claims 14 is objected because the acronym "SPST" is not defined in the claims or in the specification.

Applicant has amended claim 14 as suggested by the Examiner and has amended the specification at the paragraph beginning on page 23, line 9, thus the objection is overcome.

12. Claims 16, 17 and 24 are objected to because the acronym "RSSI" should be "RSS."

Applicant has amended claim 16 as suggested by the Examiner. Claims 17 and 24 have been canceled without prejudice or disclaimer, thus the objection is overcome.

13. Claims 19-21 are objected to because the acronym "RSSI" is not defined.

Applicant has amended claims 19 and 21 as suggested by the Examiner, thus the objection is overcome.

14. Claim 22-25 are objected to for reciting "said threshold" instead of "said predetermined threshold."

Applicant has amended claim 22 as suggested by the Examiner, thus the objection is overcome.

15. Claim 25 is objected to for reciting "switching means" instead of "bypassing means."

Applicant has amended claim 25 as suggested by the Examiner, thus the objection is overcome.

35 U.S.C. § 112

16. Claims 1-25 stand rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement.

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The Examiner notes that the claimed invention is contrary to the description of Figs. 3B and 4B.

Applicant has amended Figs. 3B and 4B in order to correct errors in the Figures. Additionally, parts of the specification corresponding to Figs. 3B and 4B containing errors have also been corrected such that the entire specification correctly describes the claimed invention.

Applicants further note, that the claimed invention was clearly described without these errors throughout the rest of the specification. Therefore, the claimed invention is enabled by the originally filed specification. Additionally, no new matter has been entered.

Therefore, Applicant respectfully submits the rejection is overcome and claims 1-25 are in condition for allowance.

17. Claims 17 and 24 stand rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. Claims 17 and 24 have been canceled, thus the rejection is overcome.

18. Claim 7 stands rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claim 7 recites the limitation "said mixer output" for which there is no antecedent basis for.

Claim 7 has been amended to recite "a mixer output" instead of "said mixer output." Therefore, the rejection is overcome.

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35 U.S.C. §103

19. Claims 1-2, 5, 9-16, 22-23 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,208,202 (*Kaufman et al.*).

The Examiner states that *Kaufman et al.* discloses a filter and amplifier bypass circuit that is used whenever excess gain and output power are not needed (Abstract and Fig. 5). The Examiner further states that *Kaufman et al.* fails to explicitly teach the step of measuring the received signal strength and comparing it to a threshold. However, the Examiner states that this step would be obvious to incorporate into *Kaufman et al.* because it is necessary to know when amplification is needed. The Examiner further states that Applicant admits in paragraphs 0032 that comparing a received signal strength to a threshold in order to disable a power amplifier is prior art. Applicant specifically traverses this assertion. Paragraph 0032 of Applicants published application recites:

A common solution to increase linearity is to increase the bias current to the receiver amplifiers. Another solution is to bypass amplifiers when input signals exceed a threshold in which the signals can be processed without amplification from the bypassed amplifier. The bypassed amplifiers may be an LNA, low noise amplifier, or an RF, radio frequency, amplifier in a receiver front end.

It is noted that this paragraph is not in the background of the application and is thus not admitted prior art. Furthermore, Applicant only states that a common solution for increasing linearity is to increase the bias current to the receiver. Applicant does not state that any other alternatives for

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increasing linearity are common solutions. Therefore, Applicant has traversed the Examiner's assertion of admitted prior art. Furthermore, in view of the following paragraphs Applicant submits that such a feature, even if combined with *Kaufman et al.* would not render Applicant's amended claims obvious.

Kaufman et al. teaches an amplifier and bypass circuit for a transmitter of a mobile telephone. As stated at Column 3, lines 37-40 "A transmitting RF processing circuit 122 includes the power amplifier circuit arrangement described in more detail herein." The circuit shown in Fig. 5 is utilized in transmission circuitry of the mobile phone. As stated by the Examiner, *Kaufman et al.* do not teach the step of measuring the received signal strength and comparing it to a threshold. *Kaufman et al.* do not state anywhere what determination is made in order to bypass the amplifier. *Kaufman et al.* teach that the amplifier is bypassed when excess gain and output power are not needed. The signal in *Kaufman et al.* is either sent through the amplifier or the amplifier is bypassed. This signal is not a received signal having a varying power level, but is a signal internally generated by the mobile device to be transmitted to a base station of the cellular system.

In contrast, Applicant has designed a bypass circuit used when receiving signals from, for example, a cellular network. Further, Applicant has amended claim 1 to recite "A method of reducing power requirement of a front end device in a receiver, comprising the steps of measuring a received signal strength (RSS) of a signal received at an antenna (underlining added)." *Kaufman et al.* does not teach or suggest a bypass circuit for an amplifier that is utilized with a received signal. *Kaufman et al.* teaches control of the transmission of signals

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from a cellular phone to a base station. The bypass circuit is used for transmission of internally generated signals from the mobile station to a base station.

Furthermore, *Kaufman et al.* does not need to compare the received signal strength to a threshold, as the signal is internally generated and thus, the control of the bypass circuit in *Kaufman et al.* is based upon conditions that exist when excess gain and output power are not needed. Therefore, there would be no motivation to modify *Kaufman et al.* to include a system that compares the signal strength of a received signal to a threshold, as suggested by the Examiner.

Therefore, Applicants respectfully submit that *Kaufman et al.* do not teach or suggest all of the limitations of independent claim 1. Additionally, there is no motivation to modify *Kaufman et al.* to include a process for comparing the signal strength of a received signal to a threshold level in order to determine whether to bypass an amplifier. Therefore, Applicant respectfully submits that claim 1 is not rendered obvious by *Kaufman et al.* Claims 12 and 22 have also been amended similarly to claim 1 and are thus in condition for allowance for the same reasons. Claims 2-11, 13-16, 18-21, 23 and 25 are in condition for allowance at least because of their dependency upon allowable independent claims.

20. Claims 17 and 24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,208,202 (*Kaufman et al.*) in view of U.S. Patent No. 6,351,504 (*Igarashi et al.*).

Claims 17 and 24 have been canceled, thus the rejection is moot and overcome.

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21. Claims 18-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,208,202 (*Kaufman et al.*) in view of U.S. Patent No. 6,445,247 (*Walker*).

As described above, *Kaufman et al.* does not teach or suggest the all of the elements of independent claim 12. Further Applicant respectfully submits that *Walker* does not teach or suggest the elements of claim 12. Therefore, neither *Kaufman et al.* or *Walker* or their combination teach or suggest the elements of claim 12. Therefore, Applicant respectfully submits that the combination of *Kaufman et al.* and *Walker* does present a prima facie case of obviousness with regard to independent claim 12 and that claim 12 is in condition for allowance. Applicant respectfully submits that claims 18-21 are in condition for allowance at least because of their dependency upon allowable claim 12.

Double Patenting

22. Claims 1 and 22 stand rejected under judicially created doctrine of double patenting over claims 4 and 1 of U.S. Patent No. 6,668,028.

Applicant submits that U.S. Patent No. 6,668,028 and the present application are commonly owned. Therefore, Applicant submits herewith a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) in order to overcome the rejection. Thus, Applicant submits claims 1 and 22 are in condition for allowance.

23. Claim 2 stands rejected under judicially created doctrine of double patenting over claim 4 of U.S. Patent No. 6,668,028.

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Applicant submits that U.S. Patent No. 6,668,028 and the present application are commonly owned. Therefore, Applicant submits herewith a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) in order to overcome the rejection. Thus, Applicant submits claim 2 is in condition for allowance.

24. Claims 9-11 stands rejected under judicially created doctrine of double patenting over claims 4 of U.S. Patent No. 6,668,028.

Applicant submits that U.S. Patent No. 6,668,028 and the present application are commonly owned. Therefore, Applicant submits herewith a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) in order to overcome the rejection. Thus, Applicant submits claims 9-11 are in condition for allowance.

25. Claim 23 stands rejected under judicially created doctrine of double patenting over claim 1 of U.S. Patent No. 6,668,028.

Applicant submits that U.S. Patent No. 6,668,028 and the present application are commonly owned. Therefore, Applicant submits herewith a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) in order to overcome the rejection. Thus, Applicant submits claim 23 is in condition for allowance.

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C O N C L U S I O N

In view of the above, Applicant submits that the pending claims are in condition for allowance, and prompt and favorable action is earnestly solicited. Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Thomas F. Lebens at (805) 781-2865 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



Martin R. Bader
Reg. No. 54,736

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Address all correspondence to:

FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street, Ste. 1600
Chicago, IL 60603
(858) 552-1311